

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. FRED A. WOLFSON
	:	
v.	:	Criminal No. 08-197 (FLW)
	:	
JESSIE PEAGLER	:	

CONTINUANCE ORDER

This matter having been opened to the Court on the application of Stephen J. Taylor, Esq., attorney for JESSIE PEAGLER for an order [1] continuing the date for trial of this case, [2] modifying the previously established schedule for the filing and disposition of motions, and [3] tolling the provisions of the Speedy Trial Act of 1974; and

Stephen J. Taylor, Esq., having made this application to the Court because [1] he needs additional time to review discovery, to investigate the charges, to investigate sentencing ramifications should defendant choose to plead guilty, and to develop possible defenses to the charges; and [2] he needs additional time to determine what, if any, motions should be filed, and to fully brief those matters for the Court; and

The United States of America (Assistant United States Attorney James T. Kitchen, appearing) having no objection to Stephen Taylor, Esq.'s application; and for good and sufficient cause shown;

IT IS THE FINDING OF THIS COURT that the relief requested by the defendant and STEPHEN TAYLOR, Esq. should be granted for the following reasons:

1. It is in the interest of defendant JESSIE PEAGLER and the public to ensure that his attorney, Mr. STEPHEN J. TAYLOR, Esq., has a reasonable period of time to prepare for trial by reviewing discovery, investigating the charges, and to

develop possible defenses to the charges; and to investigate the sentencing ramifications of a plea; and

2. It is in the interest of the defendant PEAGLER and the public to grant STEPHEN J. TAYLOR, Esq., a reasonable period of time to determine what, if any, motions should be filed, and to fully brief those matters for the Court.

3. The failure to grant such a continuance under the circumstances would likely result in a miscarriage of justice;

4. That, under the circumstances, the failure to grant such a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

IT IS FURTHER THE FINDING OF THIS COURT that pursuant to Title 18, United States Code, Section 3161(h)(8)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 5th day of June, 2008

ORDERED AND ADJUDGED that the trial of this case shall commence on

October 14, 2008;

IT IS FURTHER ORDERED that all pretrial motions shall be filed on before

September 12, 2008;

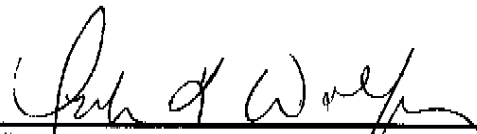
IT IS FURTHER ORDERED that all opposition papers be filed on or before

September 26, 2008;

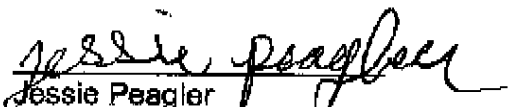
IT IS FURTHER ORDERED that the hearing for all pretrial motions shall be held on October 3, 2008 at 10:00 AM;


IT IS FURTHER ORDERED that all other provisions of the Court's Order for Discovery and Inspection not superseded by this Order shall remain in full force and effect, and

IT IS FURTHER ORDERED that from the date this Order is entered up to and including October 14, 2008, shall be excluded in computing time under the Speedy Trial Act of 1974 pursuant to the provisions of Title 18, United States Code, Section 3161(h)(8)(A).


HONORABLE FREDA L. WOLFSON
United States District Judge

Consented to by:


Jessie Peagler
Defendant


Stephen J. Taylor, Esq.
Attorney for Jessie Peagler


James T. Kitchen
Assistant U.S. Attorney